



DPO COMPLAINT INVESTIGATIONS

A Few Nuts and Bolts

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SEQUENCE OVERVIEW

- Confirm Receipt by SAU
- Appointment of Investigator (and Mediator)
- Draft Allegations Report
- Mediation (If Agreed Upon)
- Complaint Investigation Meeting (CIM)
- CIM Summary
- Submission of Documents and Response
- Interviews
- Complaint Investigation Report



Sample Draft Allegations

1. Failure to provide supplementary aids and services in the nature of full-time one-on-one support to enable the Student to advance appropriately toward attaining his annual goals, to be involved in and make progress in the general education curriculum, and to be educated and participate in those activities with other children with disabilities and with non-disabled children in violation of MUSER §IX.3.A(1)(d);
2. Failure to develop the Student's IEP in conformity with what the IEP team agreed to at the 5/11/11 meeting with regard to educational technician support in violation of MUSER §VI.2.J(4).



CIM Objectives

LIST OF OBJECTIVES

Following is a list of objectives intended to be accomplished at this Complaint Investigation Meeting:

1. Stipulate (agree) to uncontested, pertinent facts.
2. Identify types of documents that would support/respond to the allegations.
3. Identify types of interviewees with information regarding the allegations.
4. Review, focus and clarify the allegations.
5. Reinforce need for authorizations for release of information from interviewees.

After the meeting, the Complaint Investigator will issue a Complaint Investigation Meeting Summary, setting forth all stipulations entered into and restating the allegations to be investigated.



Sample CIM Summary

STIPULATIONS

Following is a list of stipulations agreed to by the parties at the Complaint Investigation Meeting:

- 1. Paragraphs 2 and 3 of the Summary section of the Dispute Resolution Request accurately state []'s Battelle Scores and their standard deviations below the mean.*
- 2. CDS received []'s OT evaluation on 4/8/08, and her SL evaluation on 5/2/08.*

Please contact me immediately if you believe any of the above does not accurately state what was agreed to at the meeting. Unless I hear from you to the contrary by [], I will regard each of the above as an uncontroverted fact.

ALLEGATIONS

Following are the allegations I will be investigating in this complaint, with any revisions resulting from the Complaint Investigation Meeting:



Sample Corrective Action Plan (CAP)

- The District shall promptly reconvene the Student's IEP Team for the purpose of considering the question whether the Student requires a voice output communication device in order to receive FAPE. Following the meeting, the District shall issue a Written Notice stating the determination and the reasons for it, and the Parents may exercise their due process rights should they disagree with the determination. The District will submit a copy of the Advance Written Notice and Written Notice for the meeting, together with an amended IEP if a determination is made that requires it, to the Due Process Office, the Parents and the Parent's advocate.
- The District shall issue a memorandum to all special education staff regarding: 1) the necessity for including in the Written Notice all those actions regarding the referral, evaluation, identification, programming or placement of a student that the District is proposing to take, as well as those that the District is refusing to take, and the reasons for any such proposal or refusal; and 2) the obligation of the receiving SAU, following a CDS-public school transition meeting, to send to parents the IEP developed pursuant to that meeting. The District will submit a copy of the written memorandum, together with a list of the names and job titles of all those to whom the memorandum is issued, to the Due Process Office, the Parents and the Parent's advocate.



Systemic Complaints

- A systemic complaint is one which alleges that a public agency has a policy, practice, or procedure that: a) is, or has resulted in, a violation of Part B or Part C of IDEA or Chapter 101, MUSER; and b) is, or has the potential to be, applicable to a group of students, named or unnamed.
- No mediations take place.
- The SAU may offer a resolution proposal to the DOE.
- The Complainant may not receive personally identifiable information without express authorization from the families.